

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>UNITED STATES OF AMERICA</b>	:	<b>CRIMINAL NO. 1:07-CR-403-01</b>
	:	
v.	:	<b>(Judge Conner)</b>
	:	
<b>RASHI ABDUL USHERY</b>	:	

**ORDER**

AND NOW, this 12th day of September, 2008, upon consideration of the government's motion in limine (Doc. 49), which seeks to exclude evidence relating to the January 8, 2006 traffic stop of a vehicle operated by Cedric Simmons, as well as the subsequent indictment, guilty plea, and sentence imposed upon Mr. Simmons for possession of crack cocaine, and it appearing that Mr. Simmons' arrest and guilty plea are unrelated to the alleged circumstances for which the defendant is charged, and the court concluding that the proffered evidence fails to qualify as admissible evidence under Rule 404(b), see FED. R. EVID. 404(b); see also United States v. Williams, 458 F.3d 312, 315-17 (3d Cir. 2006) (describing the requirement that "reverse 404(b)" evidence must be offered for a non-propensity purpose), and the court further finding that the temporal and factual remoteness of Simmons' crime to the alleged offense renders it irrelevant, see FED. R. EVID. 401, and the court concluding that the potential of the proffered evidence to mislead the jury greatly outweighs its probative value, see FED. R. EVID. 403, it is hereby ORDERED that the government's motion in limine is GRANTED.

S/ Christopher C. Conner  
CHRISTOPHER C. CONNER  
United States District Judge